

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CURT R. THEGE,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a Delaware corporation;

Defendant.

4:20CV3014

**FINAL PROGRESSION ORDER
(AMENDED)**

IT IS ORDERED that the parties' joint motion to extend the unexpired deadlines in the progression order is granted. (Filing No. 86). The final progression order is amended as follows:

- 1) The status conference set for October 19, 2021 at 10:30 a.m. is continued to **November 23, 2021 at 10:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is November 12, 2021.
- 3) The deadline for filing motions to dismiss and motions for summary judgment is December 17, 2021.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is December 17, 2021.
- 5) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 6) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 7) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for

changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 13th day of October, 2021.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge